



# United States Department of the Interior

## IDAHO FISH AND WILDLIFE OFFICE

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MAR 27 2009

Thomas Tidwell  
Regional Forester, Northern Region  
USDA Forest Service  
P.O. Box 7669  
Missoula, Montana 59807

Subject: Modified Idaho Roadless Rule—National Forest Lands, Idaho—Biological Opinion  
for Canada Lynx Critical Habitat  
102.1000 14420-2009-F-0257

Dear Mr. Tidwell:



This responds to your March 16, 2009, request that we adopt our September 30, 2008, Conference Opinion (Ref. No. 14420-2008-F-0586) on the effects of the Forest Service's proposed Modified Idaho Roadless Rule (MIRR) on proposed critical habitat for the Canada lynx (*Lynx canadensis*) as a Biological Opinion. Your request was made in response to the Fish and Wildlife Service's publication of the final rule designating lynx critical habitat on February 25, 2009 (74 FR 8616). The Conference Opinion concluded that the MIRR, as proposed, is not likely to result in the destruction or adverse modification of proposed critical habitat for the Canada lynx.

In accordance with section 402.10 of the implementing regulations for section 7 of the Endangered Species Act (Act), we have determined that no significant new information is available and no significant changes to the proposed action have been made that would alter the content of the opinion. On that basis, we have adopted the Conference Opinion as a Biological Opinion for purposes of Forest Service compliance with section 7(a)(2) of the Act.

This concludes formal consultation under section 7 of the Act on the effects of MIRR on lynx critical habitat. The requirements for reinitiation of formal consultation are described at 402.16 of the implementing regulations and in our original Conference Opinion referenced above.

Thank you for your continued interest in the conservation of threatened and endangered species. Please call Johnna Roy of this office at (208) 378-5348, if you have any questions or concerns regarding this matter.

Sincerely,

  
 Jeffery L. Foss, State Supervisor  
Idaho Fish and Wildlife Office

cc: IFWO, Spokane (Torquemada, Holt)  
Forest Service, Region 1, Missoula (Dickerson)  
Forest Service, Region 4, Ogden (Chi)